

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BROOK BEVERAGE, INC., :  
: 20-cv-9275 (VSB)  
:   
Plaintiff, :  
:   
-- against -- : **PROPOSED ORDER**  
:   
PEPSI-COLA BOTTLING :  
COMPANY OF NEW YORK INC., :  
:   
Defendant. :  
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**WHEREAS**, by Order dated February 16, 2021 (Docket No. 53) this Court issued certain preliminary injunctive relief (the “Injunction”), under which the parties have since been operating; and

**WHEREAS**, by letter dated October 4, 2021 the parties notified the Court that they have reached a negotiated settlement of their underlying dispute, which settlement would render the Injunction moot and include their filing of a Stipulation of Discontinuance pursuant to Rule 41(a) of the Federal Rules of Civil Procedure;

**NOW**, upon the parties’ joint application, this Court’s Order of February 16, 2021 and all injunctive relief granted thereunder, is hereby vacated and dissolved, and of no further effect.

**SO-ORDERED:**



**HON. VERNON S. BRODERICK, U.S.D.J.**

October 5, 2021